FREEDOM 21℠

Advancing the principles of freedom in the 21st century

Sustainable Development Or Sustainable Freedom?

This publication was prepared by Henry Lamb, founder and executive vice president of Freedom21, Inc. The organization maintains a website, www.freedom21.org, and strongly recommends two other websites: www.sovereignty.net which provides extensive information on the United Nations and the issues discussed in this booklet. The other site is www.freedom.org, a storehouse of information on freedom, free markets, and property rights, collected and published since 1994.

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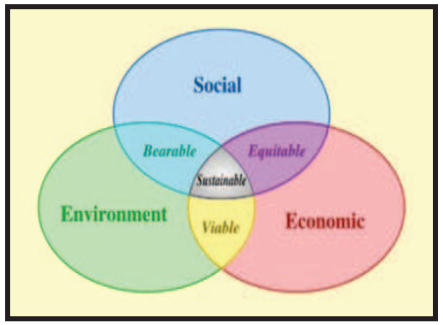
What is Sustainable Development?

The term "Sustainable Development" describes a variety of public policy objectives that seek to better organize communities to (1) protect the environment; (2) stimulate economic development; and (3) promote social equity. These three values are thought to be inseparable, and should be considered together as the basis for evaluating all future development.



The concept of sustainable development emerged from a 1987 conference of the World Commission on Environment and Development, chaired by Gro Harlem Brundtland. Sustainable Development was defined to be:

> **"Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."**

Various United Nations agencies, working in consultation with the International Union for the Conservation of Nature, compiled a blueprint for achieving sustainable development called Agenda 21. This non-binding policy document was signed by 179 nations, including the United States, at the U.N. Conference on Environment and Development held in Rio de Janeiro in 1992.

This 300-page document contains 40 chapters that address virtually every facet

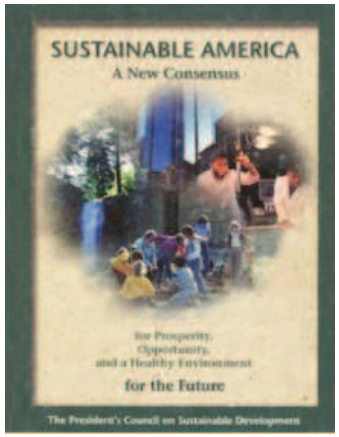
of human life. Recommendations describe in great detail how the concept of sustainable development should be implemented through every level of government. In compliance with one of those recommendations, President Bill Clinton created the President's Council on Sustainable Development by Executive Order #12852 on June 29, 1993.

The PCSD consisted of 12 cabinet secretaries, top executives from six major environmental organizations, including The Nature Conservancy, the Sierra Club, and the International Union for the Conservation of Nature, as well as top executives from Enron, Browning Ferris, and S.C. Johnson.

The PCSD operated through the end of 1999, and was responsible for instilling sustainable development consciousness throughout every agency of the federal government.

Using its enormous grant-making powers, the federal government extended sustainable development consciousness throughout state and local governments and created a whole new community of sustainable development NGOs (non-government organizations). The American Planning Association, for example, received $3,885,093 in federal grants for sustainable development projects. The Sustainable Resource Center received $9,961,640 and the Institute for Sustainable Development received $66,635,422. [1]

Grants were awarded to state and local governments as well as to NGOs for the development of community plans based on the recommendations set forth by the President's Council on sustainable Development.



The PCSD "Americanized" Agenda 21 through a series of publications beginning with one entitled "Sustainable America: A New Consensus" in 1996. Two publications were released in 1997: "Building on Consensus: A Progress Report on Sustainable America," and "The Road to Sustainable Development: A Snapshot of Activities in the United States of America." [2]

The PCSD also published seven Task Force reports:

Eco-Efficiency, 1996
Energy and Transportation, 1996
Population and Consumption, 1996
Sustainable Agriculture, 1996
Public Linkage, Dialogue, and Education, 1997
Sustainable Communities, 1997
Natural Resources, 1999

These publications, and several workshops around the country, translated the recommendations contained in Agenda 21 into strategies for transforming local communities into sustainable communities. Federal grants provided the funding; NGOs provided the leadership, and local governments provided the targets.

The Environmental Protection Agency, and other federal agencies, offer "Visioning" grants and "Challenge" grants to local communities for the purpose of developing a plan of action to transform the community into a sustainable community. These grants are sometimes awarded to planning departments within local governments and to Universities that teach sustainable

development. They are also awarded to NGOs created expressly to work with all existing local governments to create a county-wide or region-wide plan. These NGOs typically have names such as "Yourtown 2020," or "Sustainable Yourtown."

The "Visioning" process

The function of these NGOs is to create a process that can be said to reflect the community's vision of the best possible future for the area designated in the plan. The NGO leadership chooses "stakeholders" to participate in the visioning process. These stakeholders represent significant segments of the community. Typically, officials from local government agencies are chosen, along with representatives from the finance, business, and education sectors. Local environmental groups and other social justice advocates are also among the stakeholders. A key player in this process is the facilitator.

A very good example of how this process works is provided by Florida's Heartland Rural Economic Development Initiative (FHREDI), which is an NGO created in 1993 to coordinate the promotion of Florida's six-county heartland. [3] The executive committee of the board of directors consists of one county commissioner from each county. The other board members are officials from municipal agencies within the six counties and a few business people. Their operating budget is funded primarily by the six counties. Their visioning project was initially funded by a grant from the Florida Department of Community Affairs, which, of course, receives grants from the federal government. The FHREDI website says their visioning process seeks to:

- Identify what residents treasure in their county and identify what residents want for the future of their county;
- Seek to clarify and resolve any differences in what people want; and
- Build broad commitment among citizens and the public, private and non-profit sectors for a set of county priorities.

To conduct the visioning process, the NGO turned to Florida State University's Conflict Resolution Center which conducts consensus-building projects around the state. Chris Pedersen is the facilitator chosen to conduct the visioning process in Glades County, one of the six county members of the FHREDI.

The first Glades County visioning meeting was held February 2, 2006. According to the official report, approximately 35 people attended the three-hour meeting. [4] After listening to county officials recite demographic information about the county, participants listed 30 "treasures" within the county. Participants were then asked to "…imagine that it is the year 2020 and the county has met all their hopes, and then describe what the county looks like."

At the end of the evening there were 129 different "visions" listed in eight categories. It is no accident that many, if not most, of those "visions" hoped for by the year 2020 were remarkably similar to recommendations set forth in Agenda 21, and the PCSD's Sustainable America. For example, here are a few "visions" of 2020 from the exercise that are also remarkably similar to the recommendations from sustainable development literature:

- Preserve natural environment
- Save our wetlands
- Improve our wetlands
- Restrict development in sensitive areas
- Sustainable agriculture & farming
- Comprehensive resource preservation
- Never compromise wetlands or wildlife
- Preservation of scenic views
- Designate scenic highways
- Development should be clustered
- Rural village concept

- Smart growth; planned developments
- Increased density can spur walkability
- Utilize impact fees that limit mobile homes
- Zoning should encourage infill
- More codes to be enforced
- Conservation easements on agricultural land
- Sidewalks, bike paths and walking paths
- Multi-use trails and corridors that are landscaped

The Glades County process is not unique. Facilitators are trained to assure that the consensus reached is the consensus desired by the sponsors of the event. This can be achieved by making sure that the only people who know about the first few meetings are people who are well-versed in and are inclined to agree with sustainable development principles and techniques. Another way is to provide literature at the meetings that gives the participants the opportunity to choose from several alternatives, most of which are within the acceptable guidelines of sustainability.

The Glades County process included three meetings, and produced a final report in June, 2006. The report consisted of eight "Goal Statements," with which no one could possibly disagree. Consider this, for example:

- We would like the county to develop in a way that enhances our quality of life, while maintaining the rural character of the county.

- We would like a transportation system that fits with the community, provides choices to residents, and efficiently moves people and goods around the county and outside the county.

- We would like future generations to be able to enjoy our beautiful natural environment, with clean waterways and picturesque natural areas.

- We would like convenient access to a quality health care system and we would like a quality public safety system.

- We would like a high quality educational system with choices for children and adults.

- We would like a diverse and sustainable economy that provides a variety of employment opportunities for residents and sustainable revenue so the government can provide services.

- We would like to maintain our unique character and sense of place by preserving our diverse cultural and agricultural heritage, by supporting organizations that help build our community and by creating a variety of recreational opportunities for all residents.

- We would like Glades County to be a good neighbor to surrounding counties. We recognize that we are part of the region and we would like to work with other counties on those things that provide mutual benefit.

This statement of goals became the mandate for the next phase of sustainable development: creation of an action plan to achieve the goals.

In many communities, the same "visioning" structure that develops the goals continues working to develop the plan of action. Since this activity requires more time and expertise, it is often left to a small committee or group of staffers from government agencies and employees of environmental groups, and professional planning consultants. Ordinary citizens who work for a living can rarely volunteer the time required for this phase of the process.

Agenda 21 and the material produced by the PCSD provide suggestions and recommendations about how to achieve the goals. The process is called comprehensive planning.

Comprehensive planning

Comprehensive planning was all the rage a full 20 years before the idea of sustainable development was conceived. In fact, sustainable development emerged as a way to broaden the scope of comprehensive planning, which originally focused only on land use. Comprehensive land use planning was a central focus during the 1970s.

Paul Ehrlich's book, "Population Bomb," and Rachel Carson's "Silent Spring" fed the fervor to protect the environment. Richard Nixon created the Environmental Protection Agency in 1973, and Stewart Udall led the fight to mandate comprehensive planning nationwide. [5] These events were manifestations of the beginning of a much deeper transformation of the American landscape.

The United Nations took up the banner of environmental protection in 1972, with the first U.N. Conference on the Environment held in Copenhagen. It created the United Nations Environment Program in 1973, and named as its first director, Maurice Strong, who chaired the 1972 conference. The United Nations Conference on Human Settlements (HABITAT 1) was held in Vancouver, British Columbia in 1976. This conference established the United Nations policy on private property rights and produced a document that became the blueprint for comprehensive land use planning.

The preamble to the report declared that:

> "Land...cannot be treated as an ordinary asset, controlled by individuals and subject to the pressures and inefficiencies of the market. Private land ownership is also a principal instrument of accumulation and concentration of wealth and therefore contributes to social injustice.... Public control of land use is therefore indispensable...."

This declaration directly contradicts the principle of private

property, protected so vigorously by the nation's founders and by the U.S. Constitution. Nevertheless, this document was signed by official representatives of the United States that included Carla A. Hills, who would become U.S. Trade Representative, and William K Reilly, who would become Administrator of the Environmental Protection Agency in the administration of George H.W. Bush.

The report itself contains many pages of very specific recommendations, many of which are now reflected in "Yourtown 2020" Plans of Action, developed through the sustainable development process. For example, consider this recommendation from the 1976 document: [6]

Recommendation D.2

> **(a)** Agricultural land, particularly on the periphery of urban areas, is an important national resource; without public control land is prey to speculation and urban encroachment.
>
> **(b)** Change in the use of land...should be subject to public control and regulation.
>
> **(c)** Such control may be exercised through:
>
> > (i) Zoning and land-use planning as a basic instrument of land policy in general and of control of land-use changes in particular;
> >
> > (ii) Direct intervention, e.g. the creation of land reserves and land banks, purchase, compensated expropriation and/or pre-emption, acquisition of development rights, conditioned leasing of public and communal land, formation of public and mixed development enterprises;
> >
> > (iii) Legal controls, e.g. compulsory registration, changes in administrative boundaries, development-building and local permits, assembly and re-plotting.

These were radical ideas in 1976, but are now the norm, thanks to sustainable development. Another recommendation is worth noting.

Recommendation D.3

> **(a)** Excessive profits resulting from the increase in land value due to development and change in use are one of the principal causes of the concentration of wealth in private hands. Taxation should not be seen only as a source of revenue for the community but also as a powerful tool to encourage development of desirable locations, to exercise a controlling effect on the land market and to redistribute to the public at large the benefits of the unearned increase in land values.
>
> **(b)** The unearned increment resulting from the rise in land values resulting from change in use of land, from public investment or decision or due to the general growth of the community must be subject to appropriate recapture by public bodies.

According to Ken Freeman, President of Alabama's Alliance for Citizens' Rights, this 1976 recommendation turned up in 2008 in an Alabama County's Smart Growth Plan, in a provision called "Unjust Enrichment Tax." [7]

Comprehensive planning to achieve sustainable development objectives is vastly different from zoning laws before the 1970s. Zoning was introduced in New York in 1916 as a reaction to the construction of the Equitable Building on Broadway. The building towered above its neighbors, blocking sunlight and the view of the city. The U.S. Department of Commerce offered model zoning legislation for states in 1924, which was quickly adopted by most states. The law essentially authorized local governments to adopt zoning ordinances. The constitutionality of the law was tested in

Euclid, Ohio, and originally found to be unconstitutional, but was eventually ruled constitutional by the Supreme Court.

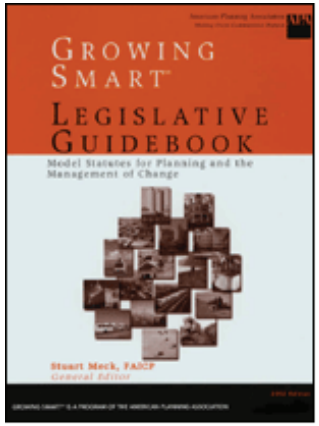
The function of zoning ordinances was to authorize locally elected officials to define the type of development that could occur within designated geographic regions, usually within a village, town or city. There was little or no need for zoning in rural areas. Zoning decisions were the responsibility of locally elected officials who could be held accountable by the citizens of the community at every election.

Prior to the adoption of a local zoning ordinance, the village, town or city developed as a result of the wishes of the people who owned the land being developed; purely the result of a free market expressing itself in a local community. When a village, town or city adopted its first zoning ordinance, the existing land use formed the basis for the zoning designations. Changes to the existing land use, or zoning designations were initiated by the land owners who wanted the designations changed. Only locally elected officials had the authority to change the zoning. They had to balance the request and rights of the land owner with the desires and rights of the other constituents. This local government, closest to the people governed, is most accountable to the people affected by land use decisions.

Comprehensive planning required by sustainable development is not initiated by the land owners, or by the local community. It is initiated by a coalition of international organizations that organized their vision of how everyone ought to live, and put that vision into a book called Agenda 21. This international coalition convinced 179 nations to endorse their vision at the 1992 U.N. Conference on Environment and Development, and, without Congressional consideration or debate, President Bill Clinton imposed that vision on America with an Executive Order.

Smart Growth

To help ensure that the goals of Agenda 21 were implemented consistently across the nation, the federal government awarded more than $4 million in grants to the American Planning Association to develop model comprehensive planning legislation for states. They produced a book titled: "Growing Smart: Legislative Guidebook." [8] This book contains three model laws and two model executive orders from which states may choose.



This book is the instrument that translated into state laws the recommendations first presented at the 1976 U.N. Conference on Human Settlements, and the recommendations presented at the 1992 U.N. Conference on Environment and Development, and the recommendations presented by the President's Council on Sustainable Development.

The common theme in all the model legislation and the model executive orders is government control of land use, with no regard for private property rights. Consider, for

example, this language in one of the model laws:

> "…Government may enter upon the land and act to put it in compliance."

The model law prescribes what the government requires the land owner to do to be in compliance, and then authorizes the government to "enter upon the land" without any regard for the land owner's Constitutional right to privacy, especially from the government.

The 4th Amendment says:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation particularly describing the place to be searched, and the persons or things to be seized."

This amendment requires a government official to present evidence to a judge that a crime has been committed, and that either evidence, or the perpetrator of a crime is present at a particular location. The presentation must be sufficient to convince the judge to issue a warrant before a government official can enter private property without an invitation.

The concept of sustainable development, and in particular, the principle of government control of land use completely ignores the 4th Amendment and the principle of private property rights, a fundamental principle of freedom.

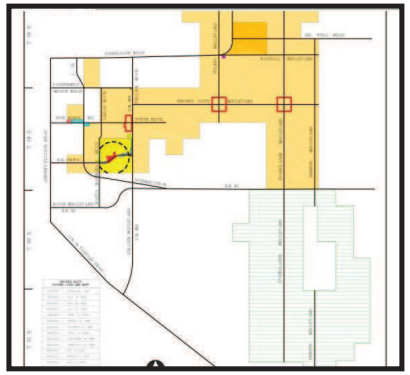
This model legislation also authorizes governments to fine land owners for non-compliance with the conditions government places upon the owner. It also authorizes government to bring the property into compliance and put a lien on the property until the

owner pays the costs. The model legislation even authorizes the government to condemn the property and take it, even though the Constitution requires that the use of eminent domain be invoked only to take property for a public use, and then only with just compensation paid.

These provisions in the model legislation certainly comply with Recommendation D (1) (d) from the 1976 U.N. Conference on Human Settlements, and with the Recommendation 7.30(c) from Agenda 21 adopted by the 1992 U.N. Conference on Environment and Development.

When government, rather than the owner, controls the use of land, the natural law of supply and demand is repealed. Planners draw lines on a map, and in so doing destroy the market value of some land, and inflate the value of other land by designating where development may occur, and where development is prohibited.

This map of Collier County, Florida, shows an area in orange north of State Road 80, where development is allowed. The area shown in light green south of State Road 80 is designated as a conservation area where development is prohibited.



The moment this plan is adopted, the value of the land south of State Road 80 plummets. The only potential buyers are the government, or possibly a land trust such as The Nature Conservancy, that would likely resell the land to the government at a profit. Owners who choose not to sell their property to the government would continue to pay taxes on the land even though use of the land would be strictly controlled by the government, if allowed at all.

This action by government takes the value of land from the land owner but ignores the Constitutional requirement that the government pay "just compensation" when it takes private property from an individual. The value of land is certainly private property.

Land owners north of State Road 80 see their property value rise. County planners – not a free market – reduced the supply of land available for development, instantly increasing its value. As the value of land increases, so does the property tax. Individuals who choose to sell their land to developers make a profit, while individuals who choose not to sell to developers pay significantly higher taxes.

Comprehensive master plans often establish "urban boundary zones" beyond which municipal services such as water, sewer, fire, and police protection are not provided. One of the primary functions of these comprehensive master plans is to create "sustainable communities." State Representative Joseph Neal describes in some detail, how planners in Richland County, South Carolina have defined urban boundary zones around certain communities in the county and essentially deny the use of private property outside those boundary zones. [9]

Map of Southeast Richland County showing urban boundary zones and green-striped protected areas where development is prohibited

Sustainable communities are the vision of the international coalition that created Agenda 21. The PCSD facilitated the vision through several federal agencies, but particularly through the U.S.

Department of Housing and Urban Development (HUD). A report prepared by HUD for HABITAT II, to celebrate the 20th anniversary of the 1976 U.N. Conference on Human Settlements, explained sustainable communities quite thoroughly:

> "Society's transition to community sustainability…is defined here as the reshaping of our modern urban-rural industrial society's economics in accordance with the dictates of the natural ecological systems of support upon which we and our social and economic systems must depend." [10]

Despite local visioning councils and consensus-building stake-holder meetings, sustainable communities are the result of deliberate, top-down government management of local communities. There is no other way to explain the fact that virtually every county's comprehensive master plan contains the same elements, the same goals, the same processes, all of which are spelled out in Agenda 21 and documents produced by the PCSD. [11]

These comprehensive master plans often bring more than development prohibitions and higher taxes. These plans bring detailed restrictions on human activity. The plans almost always include International Building Codes. The International Code Council is a not-for profit organization created in 1994 – one year after the creation of the PCSD - to provide the following uniform codes to government: [12]

- International Building Code
- International Energy Conservation Code
- International Existing Building Code
- International Fire Code
- International Fuel Gas Code
- International Mechanical Code
- ICC Performance Code
- International Plumbing Code
- International Private Sewage Disposal Code
- International Property Maintenance Code
- International Residential Code
- International Wildland Urban Interface Code
- International Zoning Code

These codes can impose draconian restrictions on individual freedom. Recall that one of the "visions" for 2020 identified in the Glades County visioning process was "More codes to be enforced." These are the codes that are to be enforced.

Many communities have extensive code enforcement departments. In Birmingham, Mobile, and Atlanta, these code enforcement officers are called Environmental Police.

Enna Miles told a citizens' group in Cullman Alabama that Environmental Police visited her 86-year old aunt and told her that the small patch of tomato plants in her back yard was a code violation that could result in a fine of $150 per day.

In Orem, Utah, code enforcement is the job of the Neighborhood Preservation Officers. Betty Perry is a senior citizen who lives in Orem. She was handcuffed and hauled to jail by these officers for violating a code. Her crime was failure to water her lawn.

Rondal Keith Jervis failed to mow his grass the way the code enforcement officer in Corbin, Kentucky thought it should be mowed. Jervis was fined $100. A dispute arose between Jervis and the enforcement officer, and Jervis' fine rose to $2,250 for high grass and debris on the Jervis property. A phone call to the code enforcement office resulted in a shouting match, and Jervis was charged with "third-degree terroristic threatening." [13]

Back yard of the Jervis home where code enforcement officers levied fines of $2,250 for high grass and debris on the property

The city may now take a lien to collect the fine and growing interest, foreclose the lien and sell the property on the courthouse steps to collect its money.

Corbin is a small town of less than 8,000 people in southeast Kentucky. The code Jervis is charged with violating comes from the city's "Development Code," a 110-page document adopted by the City Commission to implement the goals set forth in the city's comprehensive plan. The code's extensive statement of purpose says it is to protect green space, historic sites, and natural resources, but nowhere does the plan make any reference to protecting the private property rights of the citizens of Corbin. [14]

These are, perhaps, extreme examples, but they illustrate how sustainable development enforcement has no regard for the rights of individual property owners.

Sustainable development brings the rights and freedom of individuals into direct conflict with the rights of the community at large – as defined by an international coalition, implemented through the federal government, and enforced by bureaucrats in the local government.

The Consensus process

Among the 16 "We Believe" statements issued by the President's Council on Sustainable Development, is Number 8: [15]

> "We need a new collaborative decision process that leads to better decisions; more rapid change; and more sensible use of human, natural, and financial resources in achieving our goals."

The "old" process for deciding public policy involved private citizens requesting their elected officials to adopt a policy, followed by vigorous public debate by those in support of the policy proposal, and by those who oppose the proposal. Eventually, after all sides

had been heard, a public vote by the elected officials would decide the matter. Citizens who were unhappy with the policy decision could campaign to have the elected officials defeated in the next election. This is the process by which the governed give their consent. This is the only way to insure government accountability to the people. This is the only way to have a government of the people, by the people, and for the people.

Sustainable development could not sweep the nation if it were left to individuals requesting their locally elected officials to adopt schemes that deny private property rights to their neighbors and impose freedom-robbing restrictions that outlaw a back yard tomato patch. Therefore, "…a new, collaborative decision process" was devised.

This new decision process is the consensus process in which voting is not allowed. Consensus is not agreement; it is the absence of expressed disagreement. Consensus is sometimes declared despite expressed objection, if the objector can be discredited or marginalized.

Consensus can occur only when a facilitator declares consensus has been reached in response to one or more questions. The visioning process utilizes the consensus process. In the Glades County example, the facilitator combined all 129 "visions" of the 35 participants into eight statements that he declared to be the consensus of the group. In this case, because of the procedure, no one was given an opportunity to object. Moreover, the statements were framed in such a bland and general way that no reasonable person could object. And, of course, it is purely coincidental that goals expressed in these eight statements can be found in virtually every other visioning statement in every other county.

The goals produced by every visioning process automatically produce the question: How do we achieve these goals? Under the "old" decision process, the question would be put to a governing

board of elected officials who might entertain proposals from several sources advocating different ways to achieve a particular goal. The elected officials would discuss, debate, and eventually decide by a public vote, recorded for all to see.

The new collaborative decision process bypasses the cumbersome argument and debate. The new collaborative decision process provides government funding to pay organizations such as the American Planning Association, or the Sustainable Resource Center, or the Institute for Sustainable Development to produce plans and procedures that are ready-made for local governing bodies to approve. The visioning process and the obligatory comprehensive planning is most often accompanied by a government grant that local elected officials rarely reject, especially if the local community has been told that the grant is awarded to help usher in "sustainability."

Comprehensive plans are developed by planning professionals committed to transforming local communities into social structures described in Agenda 21 and the PCSD documents. The procedure to achieve this goal is deliberately designed to bypass local elected officials during the development process, while giving the public impression of engaging a broad spectrum of the community's citizens. Only after the plan is essentially developed is the governing body called upon to give it the force of law by a formal vote.

This process varies slightly from community to community, but every community has undergone, or soon will undergo a similar process. The goals of sustainable development amount to a complete transformation of American society. Sustainable development embraces education, economics, and social justice, as well as environmental issues. Once the new collaborative decision process has been established, it can be used to develop policy in all these issue areas. Whenever public policy is developed by government-funded advocacy groups, administrators, or bureaucrats, there can be no accountability to the people. Private property rights are eroded and individual freedom evaporates.

Advocates of government control of land use have exerted their influence since long before the term 'sustainable development' was first uttered. The 1976 U.N. Conference on Human Settlements uses the raw language: "Government control of land use is therefore indispensable." By 1992, the advocates of government control had learned that words matter, and rather than use words such as "government control of land use…" they coined terms such as sustainable development, smart growth, and sustainable communities.

It matters not what euphemism is used to shield the reality of government control. Sustainable development, smart growth, and sustainable communities all describe a government-controlled society. Every time a public policy requires a private citizen to ask permission from government, another expression of freedom is destroyed.

Read again the consensus "vision for 2020" goals from Glades County Florida. These are reasonable goals. They can be improved, however, with a strong statement expressing the goal of advancing the principles of freedom and respect and appreciation for private property rights. There is no reference to inspiring personal achievement or promoting entrepreneurial opportunities. These values are rarely mentioned in visioning plans. These values must not be allowed to fade from American communities.

Sustainable freedom

Freedom has been sustained in America for more than 200 years. Individual freedom is that magic ingredient in American society that is responsible for America's great prosperity. Free markets and individual entrepreneurial enterprise have produced longer and better lives for people than any other form of government or social organization.

Freedom is the greatest value that the current generation can pass on to future generations. Individual freedom is far more important

for posterity than government-managed communities. Freedom from government-managed communities was won by America's founders. Freedom from government tyranny was enshrined in the U.S. Constitution, and freedom is diminished when the U.S. Constitution is ignored.

The "collaborative decision process" embraced by the procedures of sustainable development deliberately ignores the principle of open debate and recorded votes by elected officials, which is the decision process established by the U.S. Constitution. The Constitution guarantees that every state shall have a Republican form of government. The "collaborative decision process" has no place in the development of public policy at the local, state, or federal level of a republican form of government. Freedom is diminished every time a public policy is developed by stakeholder consensus, rather than by open debate and a recorded vote by elected officials.

Freedom in America has been under attack for most of the 20th century. The strong Marxist movement in the early 1900s produced the organizations and impetus for the federal government to lock up land in the west, rather than let it become the property of individuals or the states. Karl Marx believed that the state, or government, should own or control all the land. America's founders believed that privately owned property is the sacred foundation of freedom.

Without ownership of private property there can be no freedom. The very meaning of ownership is the right to control use, and the right to exclude use or access by others – especially by the government. This fact gives meaning to the Fifth Amendment prohibition against the government taking private property for public use without just compensation.

The Supreme Court ruled that "public use" actually meant "public purpose" in 1954. [16] Since then, governments have become extremely creative in the manufacture of ways to take private

property, often to give, or sell, to other private owners. The idea of sustainable development extends this government power over private property even further: to the complete control over the use of private property without actually taking it, or incurring any liability for compensation to the owner.

A comprehensive land use plan adopted by government gives the government, not the owner, the superior right to decide how the land may be used. This reality gives government the benefit of land ownership while leaving the responsibility of ownership with the owner. The owner must ask the government for permission to use his own land, but is required to pay tax on the land and maintain the land in whatever way might be dictated by the comprehensive plan. In King County Washington, for example, rural land owners are required to leave 65 percent of their land in its natural condition, while paying tax on 100 percent of the land. [17]

The promoters of sustainable development have convinced elected officials that private property rights are not as important as the proposed benefits of sustainable development. This is, in fact, declaring that individual freedom is not as important as the proposed benefits of sustainable development. Freedom does not have to ask government for permission.

If freedom is to be sustained and passed on to future generations, individual citizens must do something different from the action, or inaction, of the last two decades. Individual citizens must get informed, involved, and inspired.

Reclaiming freedom

If future generations are to know the freedom that propelled America to its leadership of the world, much of the freedom lost must be reclaimed. That reclamation must begin at the local courthouse and extend to Congress and to the White House. Government at every level has been permeated by people who

believe that government control of society creates better living conditions for society than can be created by individual freedom and free markets.

The opposite is true, of course, as is evidenced by the first 200 years of prosperity in America. In those first 200 years, free people in free America created a free market which surpassed every other economy and government in the world. Virtually all of the other governments operated under some form of government control of society, rather than by a society in control of government.

The American system, based on natural law, produces winners and losers. Some people fare very well, some do quite well, some struggle, and others fail. Throughout nature, every living species exists within this natural law. Survival of the fittest is not just an empty slogan; it is a fundamental law of nature that cannot be repealed – despite the desires of people who believe it to be unfair.

People have tried to repeal this law for centuries, but every effort has ended in disaster. Sustainable development is the most recent effort to repeal this law. Remember, one of the three foundational principles of sustainable development is "Social Equity." This is the same philosophy, or worldview, that Karl Marx expressed in his famous statement: "From each according to his ability; to each according to his needs."

The proponents of "Social Equity" base their arguments on the idea that capitalism, free markets, private property rights, and individual freedom – are not fair. This system results in some people getting very rich while others barely survive in poverty. Their argument claims that if government manages markets and society, then everyone could be assured of at least a home, a livable income, an education, and now, health care. They argue that a society in which everyone has at least these benefits must

be better than a society that denies these benefits to some. The history of government-managed societies proves this to be a hollow argument.

Freedom is absolutely fair; every person – like every other member of every other species – is born with an equal right to life, liberty and property. An equal right does not mean an equal opportunity, or an equal outcome. No species – including the human species – is guaranteed an equal opportunity to succeed or an equal measure of success.

Throughout nature, the fittest not only survive, they excel and enjoy the fruit of their success. Throughout nature, some members of every species fail. They become food for other species. They freeze. They burn in forest fires. They get stepped on by larger animals. This is not fair. They did nothing to deserve their fate. Nevertheless, this is reality. The Designer of the universe knows better how the universe should be designed than do the proponents of sustainable development and others who insist on trying to repeal the laws of nature to implement the ideas of Karl Marx.

At some point in life, every person has to decide whether it is better to be free to try to achieve the highest level of success that is possible, or to forego the freedom to achieve, and accept whatever benefits may be available in a government-managed society.

Proponents of sustainable development contend that without government management, the environment will be ruined, open space will disappear, the poor will be doomed to live in squalor, and the rich will continue to exploit the underclass. Actually, the opposite is true. Government-managed societies always end in environmental degradation, misuse of resources, greater division of economic classes, and hopelessness for the government-dependent poor.

The best evidence of this truth is an honest evaluation of the remnants of Lyndon Johnson's Great Society. The low-cost housing that still remains from that era is now drug-infested slums. Welfare programs financed by compassionate taxpayers served only to perpetuate dependence. These programs made their proponents feel good about helping their fellow man, but in reality, the help they provided was like a temporary fix for an addict. Johnson's "War on Poverty" did nothing to improve the poverty rate.

The best society cannot be managed by government. The best society has to be the society that results from people exercising their individual freedom in pursuit of their own happiness. This is the plan designed by the Designer of the universe for all creatures.

Over the centuries, humans have learned that life is better for everyone when people cooperate, rather than when a few try to dominate. The creation and early history of the United States' power and prosperity provides the evidence. Sadly, there are places in the world where humans have not yet made this discovery. Sadly, there are still those in the United States who will not accept this reality. These are the people who continue to insist on a government-managed society through programs such as Johnson's Great Society, and now through sustainable development.

People who cherish individual freedom and the government created by the U.S. Constitution are all that prevents America from falling victim to the domination of those who prefer the Marxist method of organizing society; all-powerful government management. People who cherish individual freedom and the government created by the U.S. Constitution cannot quietly concede. These are the people who must assert their influence and convince the undecided to join the effort to reclaim freedom and restore our national power, prosperity and prestige that was once America.

Do something!

Get informed. The first step toward reclaiming freedom is to get informed. Challenge what you hear. A common claim by proponents of sustainable development is that "we're losing open space." This claim is then used to justify the government takeover of private property rights by prohibiting individuals from using their land. This may provide open space for the community at the expense of the individuals who can no longer use their land. Even though this process cannot be considered "fair," it is acceptable to the sustainable development proponents, because the land owner is "rich" as is evidenced by the fact that he owns land. This is a perfect example of the application of the Marxist principle "From each according to this ability; to each according to his need."

If a community really wants open space, is there any legitimate reason why the community should not purchase it from the owner at a fair market price? Government should not condemn property and take it by force at a price manipulated by government appraisers. Nor should government apply land use regulations that force a land owner to provide open space for the rest of the community. If there is legitimate value in open space, it is worth paying for and people will pay for it. If it is not valuable enough for people to buy, the community has no business taking it.

The free market is the most efficient process for determining value and price. It is also the most efficient institution for producing wealth, and innovation. It is also the best possible way to meet unmet needs in any society. As the market does its work, the outcome is not equal; the rewards are not equal, there will be loses, there will be disappointments, there will be failures.
A free market, though, is self correcting; a government-managed market is not. In fact, a government-managed market inevitably compounds its errors, and ultimately drags down the entire market.

The most recent housing bubble is an excellent example of a government-managed disaster. Affordable housing was a major goal of the people who advocate sustainable development. In fact, many organizations and people in Congress actually claimed that everyone has a right to adequate housing. This so-called right was also claimed by the United Nations in its Covenant on Political and Civil Rights. [18]

To implement this perceived right, the federal government actually required banks to make a prescribed percentage of their mortgage loans to people who could not qualify for mortgage loans in a free market. To encourage private banks to make these loans, the federal government guaranteed the loans. With this federal guarantee, private banks were eager to make what is now called "sub-prime" loans. Banks could not lose. These government-guaranteed loans became very valuable assets which drew the attention of other investors.

Packages of federally-guaranteed "sub-prime" mortgages – called derivatives – were traded robustly throughout the market, and around the world. Inventive insurance companies, such as AIG quickly saw an income opportunity, and offered to insure these packages for the unlikely event of a default. For years, the housing market expanded. Home values skyrocketed, and advocates of the program applauded the growing number of poor people who had a home. Money rolled, and the rich got richer.

Inevitably, the people who were not qualified to have loans in the first place began to default. As the number of defaults increased, the housing market slowed, home values declined, derivative packages began to default, insurance companies had to pay claims, and the federal government had to make good its guarantee of the sub-prime loans. Ultimately, the taxpayers had to bail out the government for its ridiculous policy of forcing banks to lend money to people who could not qualify for mortgages.

A free market would not lend money to unqualified borrowers in the first place. A free market would never guarantee loans to banks to make loans to unqualified borrowers. A free market would never bailout a bank that was stupid enough to lend money to unqualified borrowers. In a free market, taxpayers would never have to pay for such blatant stupidity that allowed the housing bubble to happen.

It is worth noting that when the inevitable collapse came, the very people who created the problem by requiring banks to make sub-prime loans and providing the federal guarantees blamed everyone under the sun except themselves. It was the predatory lenders; it was the greedy investors and insurance company executives. These people were not the problem. They were exercising their individual freedom in pursuit of happiness. Government's interference in the market caused the problem.

Every government intervention in the marketplace has negative consequences, sooner or later. Sustainable development interjects government into every marketplace, especially into the real estate market, in every community that adopts a comprehensive plan. Planners and sustainable development advocates say that the community will be better in the future if their plan is adopted and enforced. The question is: better for whom?

There is no reason to believe that a community which reflects the result of unrestricted expressions of individual freedom in pursuit of happiness will somehow be worse than a community that is designed by a handful of professionals and imposed on everyone. Get informed. Do not accept the promises of planners or the scary scenarios of sustainable development proponents. Neither should the promises of unknown developers be accepted at face value. Every person must get informed about the issues in his community, state and nation. This is the first step toward reclaiming freedom.

Do something else!

Get involved. It can be intimidating to walk into a County Commission meeting for the first time as a private citizen. These people that you've only seen on television are talking about issues that you know nothing about, following procedures that make little sense. Get over it, and get involved.

It is easier, and more effective, to first get involved with a local organization that shares your concerns. There is already such an organization in most communities. If one does not exist, you may need to create it. Organizations such as Alabama's Alliance for Citizens' Rights do a magnificent job helping to inform and educate the people in Alabama. Take Back Kentucky is a citizens' group that has enormous influence over Kentucky's state legislature. Ozarks Property Rights Congress meets monthly, and keeps its members up to date on local and state issues. Every state, and most communities, have similar organizations.

The 2008 elections spawned a new kind of community group – the Tea Parties. Glenn Beck brought 912 groups into existence. These are groups who typically support the Constitution, individual freedom and free markets. These groups are all over the Internet. They are easy to find. They are easy to join, and they are making a difference in public policy.

Join one or more of these groups. Support them.

Imagine what the outcome might be if a group of members from one of these groups walked into a visioning council meeting and decided to add their vision of the community in 2020 to the mix. Had the 35 people in the Glades County visioning group watched 35 or more Tea Party members walk in and add their wishes and desires to the vision, even the professional facilitator could not twist their vision into consensus with Agenda 21.

Get involved with the schools in your community. Study the History and Civics textbooks that are used. Make sure that your schools are teaching the Constitution, and factual history – and not the "politically correct" revised versions offered by many schools. Create textbook review committees and report your findings to local organizations, local churches and to local media. Work through the Parent-Teachers Association, or if necessary, convince your friends to take over the leadership of the group.

Get involved with political candidates. Learn how your current representatives feel about sustainable development and about individual freedom and free markets. Help your representatives learn what you have learned, and convince them to vote for the policies that advance the principles of freedom and to oppose those policies that advance the principles of Marx.

Get involved in political campaigns. There's hardly a better way to learn about local politics than to be an active volunteer in a political campaign. There are many things you can do in a campaign besides contribute money. You can call prospective supporters. You can distribute literature. You can schedule "get acquainted" meetings. You may have a special talent that you can contribute, such as writing literature, or ads, or letters to the editor. You may be able to coordinate a community-wide call-in event to local radio shows.

Get involved with local political party organizations. Make sure that your party's precinct structure is adequately staffed with people who share your appreciation of individual freedom, free markets and the Constitution. Recruit your friends and neighbors to get involved. When the current leadership fails to adequately reflect Constitutional values, campaign for their job, or replace them with better representatives.

There is no end to the ways you can get involved if you are adequately informed.

There's still more to do

Get inspired. The only thing more infectious than doom and gloom is an inspired attitude of confidence.

Sustainable development is only a small part of the transformation of America that has been underway for several decades. Since the 1990s, those who subscribe to Marxist principles seem to have had the advantage at the federal, state, and even at the local levels. The battle for America, however, is far from over.

The 2008 elections have served as an alarm clock to millions of American who have been asleep during the Marxists' march to power. They are now awakening. Americans are now marching in towns from coast to coast, to show their determination to reclaim freedom and restore the U.S. Constitution to its rightful place as the supreme law of the land.

Americans are doing more than just marching. They are meeting, planning, acting and achieving victories at the courthouse and at the statehouse. Dozens of states have enacted legislation claiming state sovereignty as guaranteed by the 10th Amendment. Dozens of states have enacted legislation that tells the Environmental Protection Agency that they cannot enforce federal carbon dioxide restrictions in their state.

Utah has even enacted legislation, and appropriated $3 million, to invoke eminent domain and take federal land in the state, and pay just compensation to the federal government.

More than 30 states have joined the growing effort to sue the federal government for enacting health care legislation the states believe to be clearly beyond the federal government's constitutional authority.

There is a lot happening to be inspired about. Americans who

cherish the Constitution are motivated and active now, more than at any time in living memory. Their inspiration is manifested in their enthusiasm at Town Hall Meetings, at Tea Party marches, on call-in radio shows, at city council and county commission meetings, and in the halls of state legislatures and the halls of Congress.

America has been attacked in the past. When both Japan and Germany wanted to bury America, America shouted "Hell no!" America was knocked to her knees but not to the mat. Free people, in defense of their freedom rose to the occasion, and did what was necessary to defeat the enemy.

The current attack on America's freedom is not with bombs and bullets from foreign tyrants. It is from an internal enemy of freedom that is just as vicious and much more sinister. America is a nation created expressly to defend and protect the freedom of its citizens. Any system of government that replaces that freedom with government control is an enemy.

Sustainable development, as defined in Agenda 21 and the documents published by the President's Council on Sustainable Development, cannot exist without government management and control. To the extent that local, state, and federal government yields to the demands of sustainable development, freedom is diminished. To the extent that local, state, and federal government rejects the principles of sustainable development, freedom is advanced.

The only power on earth sufficient to constrain a government out of control is the determination of an informed, involved, and inspired electorate, exercised at the ballot box.

Endnotes

1. The grant amount taken from audits of grants to non-government organizations conducted by the U.S. Department of Commerce, Bureau of the Census acting as collection agents for the Office of Management and Budget, from data available November 1, 2008 at: http://harvester.census.gov/sac/dissem/entity.html.

2. On March 30, 2010, these publications were available for viewing at: http://clinton2.nara.gov/PCSD/Publications/index.html.

3. The four-county visioning project is reported here: http://consensus.fsu.edu/heartland/index.html.

4. The official report of the first Glades County visioning session is available here: http://consensus.fsu.edu/heartland/reports/GladesWksh1RptRev.pdf.

5. A brief explanation of Udall's plan appears in this article: http://pubs.acs.org/doi/abs/10.1021/es60023a600.

6. A summary of this report appears in Eco-logic, January/February 1997, available here: http://www.freedom.org/el-97/eljan97.htm#un.
The complete report appears here: http://freedom.org/reports/human-settlements/index.html.

7. Ken Freeman's presentation to an Alabama citizens group is captured on video, and is available here: http://www.sovereignty.net/Library/sd-2vid/player.html.

8. Smart Growth: Legislative Guidebook is available online here: http://www.planning.org/growingsmart/guidebook/.

9. A video presentation by Representative Joseph Neal is available here: http://www.sovereignty.net/Library/sd-1-vid/player.html.

10. Community Sustainability: Agendas for Choice-Making & Action; Sub-titled: A Local Action "Roadmap" For Our Choices As Concerned Citizens. A Draft Guide Presented September 22, 1995, Washington, DC. This document is available here: http://www.freedom.org/reports/sdagenda.html.

11. Much more information about sustainable development and sustainable communities is available at these websites: http://www.freedom.org/rpts.html, and http://www.sovereignty.net/p/sd/sdmenu.htm.

12. Information about the International Code Council is available here: http://www.iccsafe.org/AboutICC/Pages/default.aspx.

13. The Jervis story as reported in the local newspaper: http://thetimestribune.com/local/x20315419/Code-Runner.

14. City of Corbin Development Code: http://www.corbin-ky.gov/content/view/111/52/.

15. "We Believe" statements issued by the President's Council on Sustainable Development: http://www.sovereignty.net/p/sd/PCSD-webelieve.htm.

16. BERMAN v. PARKER, 348 U.S. 26 (1954) decided November 22, 1954. Available at: http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&invol=26&vol=348.

17. Ordinance 15053 prohibits most rural landowners in unincorporated King County from clearing more than 50% of their land. (6) Owners of large land parcels (parcels greater than five acres) are prohibited from clearing more than 35% of their land. (7) The remaining 65% of the land must remain unaltered in its natural forested or vegetative condition. These clearing restrictions became effective on January 1, 2005. More information here: http://www.highbeam.com/doc/1G1-144981216.html.

18. "The States Parties to present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions." U.N. Covenant on Political and Civil Rights, Article 11(1), available here: http://www.hrweb.org/legal/escr.html.

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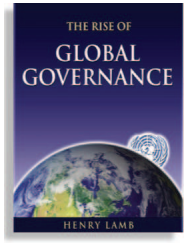

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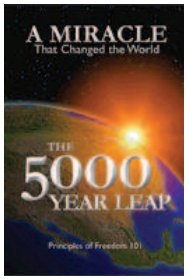

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This book, by Cleon Skousen, is the book **Glenn Beck** recommends to his audience. Millions of copies have been sold because it teaches the Principles of Freedom which explains why the United States made such enormous progress compared to all previous civilizations. This book must be in the library of every patriot. **$20**

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